

## **REMARKS**

Claims 1-14 and 16-53 remain pending in the application. Reconsideration is respectfully requested in light of the following remarks.

### **Section 103(a) Rejection:**

The Examiner rejected claims 1-12, 14, 16-25, 27-39 and 41-52 under 35 U.S.C. § 103(a) as being unpatentable over Lucassen et al. (U.S. Publication 2003/0023953) (hereinafter "Lucassen") in view of Green et al. (U.S. Publication 2002/0104067) (hereinafter "Green"). Applicants respectfully traverse this rejection for at least the following reasons.

Regarding claim 1, contrary to the Examiner's assertion, Lucassen in view of Green fails to teach or suggest **a dynamic component generator configured to receive a new set of requirements for the application; determine whether the new set of requirements includes changes from the initial set of requirements for the same application; and if the new set of requirements includes changes from the initial set of requirements, generate a second dynamic component to replace the first dynamic component**. The Examiner relies on Green (citing paragraphs 60, 122 and 150) and arguing that Green's model-view-controller framework determines whether a new set of requirements includes changes from an initial set of requirements (Final Office Action, page 8). Applicants respectfully disagree with the Examiner's interpretation of the cited art.

Neither Lucassen nor Green, whether considered singly or in combination, teaches or suggests that a dynamic generator that is part of an application generates a new dynamic component to replace an existing component if it is determined that a new set of requirements for the application includes changes from an initial set for the application. In Green it is not a dynamic component generator of the application that generates new components. Applicants' claim requires that a dynamic component generator of the

application receives a new set of requirements for *the* application, determines whether they include changes from an initial set of requirements for the (same) application, and if so, generates a second dynamic component to replace a first dynamic component in the application.

In contrast, Green, even if combined with Lucassen, teaches generating new components for a development system if requirements for an application are not supported by the development system. Green does not describe determining whether the new requirements include change from an initial set of requirements for the application. Instead, Green teaches determining whether the development system supports the requirements for the application (para. 60 and 150).

In response, the Examiner states, “it is noted that the features upon which applicant relies (i.e., an ‘existing application’) are not recited in the rejected claim(s)” (parentheses by Examiner, Final Office Action, page 4). The Examiner also argues that Applicants’ claims “do not require receiving new requirements for an application that already exists” (Final Office Action, page 4). The Examiner further contends, “an application can exist in the development state” and “Green teaches that the system is in production ... and then new application requirements come in” (Final Office Action, page 4) and states, “Green teaches receiving new application requirements for an application that already exists” (Final Office Action, page 5). **However, the Examiner has overlooked the fact that Applicants’ claim specifically recites “program instructions executable ... to implement an application program comprising: ... a dynamic component generator configured to: receive a new set of requirements for the application.”** Additionally, Applicants’ claim clearly recites that the dynamic component generator, which is part of the application, determines whether the new set of requirements includes changes from the initial set of requirements. Furthermore, the dynamic component generator generates a second dynamic component to replace the first dynamic component in the application.

Thus, contrary to the Examiner's contention, Applicants' claim clearly and specifically requires both an initial and a new set of requirements for the same application. Furthermore, since it is a dynamic component generator *of the application* that determines whether the new set of requirements includes changes from the initial set, the application must clearly exist, as Applicants have stated.

**Furthermore, in contrast to Applicants' claim, it is clearly Green's development system and not the application that is updated in response to receiving requirements for a new application.** As argued previously, it is Green's development system - not an existing application - that is updated in response to receiving requirements for a new application to be developed using the development system. If the requirements for the new application are not supported by the current development system, Green teaches that the development system is updated (Green para. 60). Green, even if combined with Lucassen, does not teach or suggest determining whether new requirements for an application include changes from an initial set of requirements for the application. Instead, Green teaches determining whether the requirements for an application are supportable and/or implementable by the current features of the development system. If not, Green teaches updating the development system. (Green, para. 60, 64 and 150).

Thus, the Examiner's combination of Lucassen and Green does not teach or suggest determining whether a new set of requirements for an application includes changes from an initial set of requirements for the (same) application and generating a new dynamic component for the application if so. Instead, a system resulting from the Examiner's combination would allow programmer's to generate new programs, and presentations, as taught by Lucassen, but would also include the ability to update a development system to support new requirements for a new application. Even if the new requirements are for an existing application, neither Lucassen nor Green, whether considered singly or in combination, teaches or suggests, generating a new dynamic component for an application if it is determined that new requirements for the application

include changes from an initial set of requirements for the application, as recited in Applicants' claims.

Furthermore, Lucassen teaches an application development system that allows a user to interface in parallel with the same information via multi-channel applications, including multiple channels and user interfaces, such as voice and graphics. Lucassen's interaction-based application framework utilizes different programming layers, and includes an interaction manager for generating a presentation layer (Lucassen, Abstract, para. 41, 59, 67 and 105-109). Lucassen's applications generate a presentation from a developer-generated interaction logic layer and (also developer-generated) customization meta data. Lucassen teaches that developers use an editor-based development tool (including a model editor) for programming the interaction logic and customization layers (Lucassen, para. 131, 134 and 137).

Lucassen also teaches in order to change the presentation view, on which the Examiner relies, a developer would use the development tool to "access, edit and visualize the interaction logic and customization meta-data representation" (Lucassen, para. 137). After a developer modifies the underlying interaction logic and customization meta-data, Lucassen's application would generate new, different presentations.

Even when combined with Lucassen, Green fails to teach or suggest a dynamic component generator configured to determine whether a new set of requirements for the application includes changes from an initial set of requirements for the application. Instead, a combination of Lucassen in view of Green teaches that new presentations are developed and installed by developers. No application of Lucassen's determines whether a new set of requirements includes changes from an initial set of requirements. Instead, as noted above, Lucassen's system relies on developer-generated presentations.

To establish a *prima facie* obviousness of a claimed invention, all claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974), MPEP 2143.03. As shown above, the Examiner's

combination of Lucassen and Green fails to teach or suggest all the limitations of Applicants' claims. Thus, the rejection of claim 1 is not supported by the cited art and removal thereof is respectfully requested. Similar remarks also apply to claims 14, 27 and 41.

Applicants also assert that numerous ones of the dependent claims recite further distinctions over the cited art. However, since the rejection has been shown to be unsupported for the independent claims, a further discussion of the dependent claims is not necessary at this time.

**Claims Objected To But Otherwise Allowable:**

Claims 13, 26, 40 and 53 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. Applicants respectfully thank the Examiner for consideration of these claims. However, as discussed below, Applicants believe that the independent claims, and therefore claims 13, 26, 40 and 53, are allowable as currently written.

## CONCLUSION

Applicants submit the application is in condition for allowance, and notice to that effect is requested.

If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5681-08800/RCK.

Respectfully submitted,

/Robert C. Kowert/  
Robert C. Kowert, Reg. #39,255  
Attorney for Applicant(s)

Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C.  
P.O. Box 398  
Austin, TX 78767-0398  
Phone: (512) 853-8850

Date: October 18, 2007